THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10156 OF 2007

DATED 04th JULY, 2007

BETWEEN

M.V.Durga Prasad and others.

… Petitioners

AND

The District Collector, Guntur, Guntur District and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10156 OF 2007

ORDER:

The three petitioners claim to be the owners of various survey numbers situated at Yerrabalem of Nouluru Revenue village of Mangalagiri Mandal in Guntur District. They allege that they purchased lands in survey No.774/5B (admeasuring 201 square yards), survey No.774/5B (admeasuring 189.6 square yards) and survey No.774/5B (admeasuring 203 square yards) respectively under different sale deeds from different persons. According to them, respondents without giving any notice orally asked them to vacate the land alleging that it is a Government land. Therefore, present writ petition is filed seeking a writ of Mandamus declaring the action of respondents in trying to dispossess the petitioners as illegal and arbitrary and for a consequential direction not to interfere with their possession.

After getting instructions, learned Assistant Government Pleader for Revenue (General-A) submits that petitioners are not in possession of the land. Therefore, this Court is of considered opinion that unless and until proper enquiry is conducted in the matter, after giving notice to the petitioners, if the petitioners are still in possession of the property, their possession cannot be disturbed.

The writ petition, with the above observation, is disposed of. No costs.

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(V.V.S.RAO,J)

04.07.2007.

pln